

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

GORDON K. SHUTT

PLAINTIFF

V.

NO. 3:16CV00076-JMV

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ON MOTION FOR ATTORNEY FEES

Before the Court is Plaintiff's motion [22] for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and travel expenses. In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Final Judgment [21] dated April 13, 2017, this Court remanded this case to the Commissioner for further proceedings. Plaintiff now seeks attorney fees and expenses in the amount of \$6,306.19 on the grounds that he was the prevailing party and the Commissioner's position was not "substantially justified." The Commissioner concedes the requested fee and expenses constitute a reasonable award. Therefore, the Court finds the requested amount is reasonable, and no special circumstances would make the requested award unjust.

THEREFORE, IT IS ORDERED:

That the Commissioner shall promptly pay to Plaintiff a total of \$6,306.19 in attorney fees and expenses for the benefit of counsel for Plaintiff.

This, 18th day of May, 2017.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE